

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

WABASHA COUNTY
Employer

and

Case 18-WH-267966

**MINNESOTA TEAMSTERS PUBLIC AND
LAW ENFORCEMENT EMPLOYEES' UNION,
LOCAL 320**
Petitioner

**CERTIFICATION OF REPRESENTATIVE AS BONA FIDE
UNDER SECTION 7(b) OF THE FAIR LABOR STANDARDS ACT OF 1938**

On October 22, 2020, Minnesota Teamsters Public and Law Enforcement Employees' Union, Local 320 (the Petitioner) filed with the Regional Director for Region 18 of the National Labor Relations Board a request for certification of representative as bona fide under Section 7(b) of the Fair Labor Standards Act of 1938 (FLSA), 29 U.S.C. § 207(b).

On November 6, 2020, the Regional Director for Region 18 served on the parties a Notice to Show Cause why the Board should not grant the request. No response was filed. As the Region's investigation revealed that the Petitioner is the recognized exclusive collective-bargaining representative of the unit employees,¹ the Regional Director recommended to the Board that the requested certification be issued.

¹ The record indicates that the Employer is a public sector employer, and it contains a copy of the parties' most recent collective-bargaining agreement, effective by its terms from January 1, 2017 through December 31, 2019; a letter dated October 26, 2020, from Wabasha County Administrator Brian Buhmann, on behalf of the Employer, agreeing that the Petitioner's requested certification should issue; and a copy of the Certification of Exclusive Representative issued on October 23, 2013, by the State of Minnesota Bureau of Mediation Services (BMS).

No party having shown cause why the requested certification should not be issued, the National Labor Relations Board certifies that Minnesota Teamsters Public and Law Enforcement Employees' Union, Local 320 is a bona fide representative, for purposes of Section 7(b) of the FLSA, of the employees of Wabasha County in the following unit:²

All non-licensed essential employees of the Wabasha County's Sheriff's Department in Wabasha, Minnesota who are public employees in the following job classifications: dispatcher, jailer, jailer sergeant, program coordinator, within the meaning of Minn. Stat. 179A.03 Subd. 14, excluding supervisory and confidential employees.

Dated, Washington, D.C., December 29, 2020.

By direction of the Board:

Roxanne Rothschild

Executive Secretary

² A certificate of representative as bona fide for purposes of the FLSA does not necessarily establish the certified organization's right to be recognized as the exclusive bargaining representative under the provisions of the National Labor Relations Act. See *County of Alameda*, 322 NLRB 614 (1996).